



**IDAHO DEPARTMENT OF FISH AND GAME**  
MAGIC VALLEY REGION  
324 South 417 East, Suite 1  
Jerome, Idaho 83338

RECEIVED

SEP 21 2018

WATER RESOURCES  
WESTERN REGION

C.L. "Butch" Otter / Governor  
Virgil Moore / Director

September 21, 2018

Nick Miller, Western Regional Manager  
Idaho Department of Water Resources, Western Region  
2735 Airport Way  
Boise ID 83705

**Re: Protest of Water Appropriation Application-for-Permit No. 63-34403; Cat Creek Energy, LLC**

Dear Mr. Miller:

The Idaho Department of Fish and Game's (IDFG) mission is to protect, preserve, and manage Idaho's fish and wildlife resources for the public interest (Idaho Code 36-103). Accordingly, IDFG has reviewed Application-for-Permit No. 63-34403 submitted by Cat Creek Energy, LLC to appropriate public waters from the South Fork Boise River for power production, for potential effects on these resources.

IDFG neither supports nor opposes the application. However, IDFG is concerned that the requested water diversion and associated hydroelectric project could adversely affect important public fisheries and Endangered Species Act protected bull trout populations within affected river and reservoir reaches of the Boise River system (IDFG Fisheries Management Plan 2013-2018, <http://fishandgame.idaho.gov/public/fish/planFisheries.pdf>).

Because the application contains limited information to assess fishery and recreation effects, IDFG is filing this protest per Idaho Code §42-203A(4) to offer the Idaho Department of Water Resources (IDWR) technical assistance with decision making and recommendations to avoid, minimize, or mitigate adverse effects on public interest fisheries (Idaho Code §42-203A(5)(e); IDAPA 37.03.08.45.01.e.ii). Please initiate Interagency Billing for the \$25.00 fee (PCA 11406; B799) to the attention of Walt Poole, Ph.D., Idaho Department of Fish and Game, P.O. Box 25, Boise ID 83707).

Thank you for the opportunity to review and comment. If information becomes available to alleviate concerns about potential adverse fishery effects, IDFG may amend or remove this protest. For questions and to arrange informal follow-up discussions, please contact Frank Edelmann (Environmental Staff Biologist) or Doug Megargle (Fishery Manager) at this office.

Sincerely,

Craig White  
Magic Valley Regional Supervisor

Cc: Sharon Kiefer, IDFG  
Walt Poole, IDFG

*Keeping Idaho's Wildlife Heritage*